S.B.CRIMINAL MISC. BAIL APPLICATION NO.5128/06

Date : 23.11.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. P.R. Mehta for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

After hearing learned counsel for the parties while taking into consideration the overall facts and circumstances of the present case and the fact that in the First Information Report the prosecutix has not stated that any intercourse was done with her forcibly on the contrary stated that she was beaten by the accused applicant and subsequently in the statement recorded under Section 164 Cr.P.C. she has involved the accused applicant, in view of above, without expressing any opinion on the merit of the case, I deem it just and proper to grant anticipatory bail to the applicant. Accordingly, it is directed that in the event of arrest of applicant Natwar Lal s/o

Vallji Bhoi by I.O./S.H.O. in FIR No.210/2006 P.S. Lohariya, District Banswara, he shall be released on bail provided he furnishes a personal bond in the sum of Rs.30,000/- alongwith two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of Investigating Officer on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

(SATYA PRAKASH PATHAK), J.

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